

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

DEMOND MEEKS

Plaintiff,

**VERIFIED
ANSWER**

Jury Trial Demanded

v.

E2021010968

**CITY OF ROCHESTER, ALEXIS ORTIZ, TYLER
COUCH, et al.**

Defendants.

City of Rochester Defendants, by their attorney Linda S. Kingsley, Esq., City of Rochester Corporation Counsel, and Spencer L. Ash., Esq. hereby answer the Plaintiff's Complaint as follows:

1. Admits the allegations set forth in Paragraphs 2, 3, 4, 7, 8, 9, and 10 of the Complaint.
2. Deny all other allegations set forth in the Complaint.

**AS AND FOR A FIRST AFFIRMATIVE
DEFENSE, DEFENDANTS STATE:**

3. That the Complaint fails to state a cause of action upon which relief may be granted against the defendant.

**AS AND FOR A SECOND AFFIRMATIVE
DEFENSE, DEFENDANTS STATE:**

4. Defendants are entitled to qualified immunity from suit because they did not violate any clearly established federal right and their actions were objectively reasonable.

**AS AND FOR A THIRD AFFIRMATIVE
DEFENSE, DEFENDANTS STATE:**

5. Plaintiff's stop and search were supported by reasonable suspicion.

**AS AND FOR A FOURTH AFFIRMATIVE
DEFENSE, DEFENDANTS STATE:**

6. Plaintiff's arrest and prosecution were supported by probable cause.

**AS AND FOR A FIFTH AFFIRMATIVE
DEFENSE, DEFENDANTS STATE:**

7. Plaintiff's injuries, if any, were caused by his own actions or the actions of third-parties.

**AS AND FOR A SIXTH AFFIRMATIVE
DEFENSE, DEFENDANTS STATE:**

8. Defendants did not proximately cause any of plaintiff's alleged injuries.

WHEREFORE, defendants City of Rochester demand:

- (1) Judgment dismissing the complaint;
- (2) The costs and disbursements of this action;
- (3) Such other and further relief which to the Court may seem just and proper.

DATED: April 5, 2022

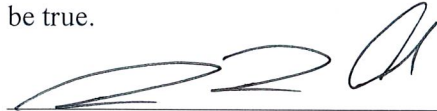
s/Spencer L. Ash

Spencer L. Ash, Esq., of counsel
Attorneys for Defendants
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Rochester, NY 14614
Telephone: (585) 428-6699

VERIFICATION


STATE OF NEW YORK)
COUNTY OF MONROE)

SPENCER ASH, being duly sworn, deposes and says that I am a Municipal Attorney for Respondents City of Rochester, Alexis Ortiz and Tyler Couch. I have read the foregoing and know the contents to be true, and as to those matters stated to be on upon information and belief, I believe them to be true.



Spencer Ash

Sworn to before me this 5th
day of April ~~7~~, 2022



MICHELLE BRADBURY
Notary Public State of New York
Qualified in Monroe County – 01BR6315209
Commission Expires November 24, 2022